

**United States District Court**

for the

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**OCT 19 2005**

JAMES R. LARSEN, CLERK  
DEPUTY  
SPokane, Washington

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Donald James Lawson                      Case Number: 2:97CR00154-001  
Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen  
Date of Original Sentence: 08/06/1998                      Type of Supervision: Supervised Release  
Original Offense: Possession with Intent to Distribute      Date Supervision Commenced: 07/25/2005  
Methamphetamine, 21 U.S.C. §841(a)(1)  
Original Sentence: Prison - 120 months; TSR - 48      Date Supervision Expires: 07/24/2009  
months

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 18      You shall complete a mental health evaluation and follow any treatment recommendations, including taking prescribed medications, as recommended by the treatment provider. You shall allow reciprocal release of information between the supervising probation officer and treatment provider. You shall contribute to the cost of treatment according to your ability.
- 19      You shall reside in a community corrections center for a period of up to 120 days. This placement may include a prerelease component, day reporting and home confinement (with or without electronic monitoring but not to include GPS) at the direction of the CCM and USPO. You shall abide by the rules and requirements of that facility and remain at that facility until discharged by the Court.
- 20      You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but not more than (6) tests per month, in order to confirm continued abstinence from these substances.

**CAUSE**

The offender tested positive for methamphetamine on September 13, 2005, at Second Chance-Iverson Center in Spokane, Washington. On September 26, 2005, Mr. Lawson tested positive for marijuana, and also diluted his urine sample. Donald Lawson was questioned about these test results and admitted that he used marijuana and methamphetamine on September 12, 2005, after having purchased the drugs for \$30 at a bar in the Spokane Valley on September 12, 2005. He also indicated that he drank four drinks of a combination of Budweiser Light Beer and a shot of Tequila. In addition, the offender also acknowledged that he had ingested marijuana on September 25, 2005. He did not contest the two positive urine results from Second Chance.

Prob 12B

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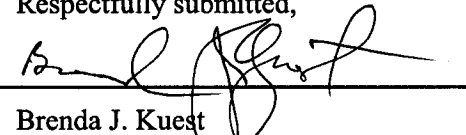
Mr. Lawson was also instructed to not associate with Kasia Tune. Ms. Tune is currently being supervised by another U.S. probation officer (USPO) in this office. On September 22, 2005, contact with staff at the Shangri La Motel reflected that Mr. Lawson and Ms. Tune had been at this motel the week of September 12, 2005. Additionally, Mr. Lawson told the staff at the motel that he was parking his truck behind the motel because he was Ms. Tune's boyfriend and he was trying to avoid her husband. Later that night, this officer, along with another USPO, went to Mr. Lawson's apartment. The television and lights were on in the apartment, however, no one answered the door after this officer knocked on the door five times. We located Ms. Tune's car parked in an adjoining parking lot from Mr. Lawson's apartment. Both offender's could not be reached on their respective telephones. On September 23, 2005, the offender left a voice mail message for this officer stating the following: "Okay we were together last night, but we were scared."

On September 27, 2005, this officer met with the offender in the probation office. The supervising U.S. probation officer was also at this meeting and reminded Mr. Lawson that he was not to have contact with Ms. Tune. His response was as follows: "I know more about Ms. Tune than the probation department does." He finally admitted having contact with Ms. Tune, despite having been previously instructed by this officer to cease this contact.

Mr. Lawson agreed to the above outlined modifications of his conditions, and indicated he understood the rationale behind them.

Respectfully submitted,


by

  
Brenda J. Kuest  
U.S. Probation Officer  
Date: October 18, 2005

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**THE COURT ORDERS**

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ The Modification of Conditions as Noted Above  
☐ Other

  
Signature of Judicial Officer

Date

